

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

V.

TEXAS INSTRUMENTS, INC.,

Defendant.

CIVIL ACTION NO. 6:12-CV-499-MHS

JURY TRIAL DEMANDED

BLUE SPIKE, LLC,

Plaintiff,

V.

AOPTIX TECHNOLOGIES, INC.,

Defendant.

CIV ACTION NO. 6:13-CV-040-MHS

JURY TRIAL DEMANDED

NOTICE OF APPEARANCE OF DAVID M. LACY KUSTERS

Defendant AOptix Technologies, Inc. (“AOptix”) files this Notice of Appearance, and hereby notifies the Court that David M. Lacy Kusters of the law firm of Fenwick & West LLP, 555 California Street, 12th Floor, San Francisco, California 94104, Telephone (415) 875-2300, Facsimile (415) 281-1350, email: dlacykusters@fenwick.com; anolen@fenwick.com, has entered this action as counsel for Defendant AOptix for all purposes, including receiving notices and orders from the Court.

Dated: February 6, 2013

FENWICK & WEST LLP

By: /s/ David M. Lacy Kusters
David M. Lacy Kusters (CSB No. 241335)
(Admitted E.D. Texas)
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Attorneys for Defendant
AOPTIX TECHNOLOGIES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2013, I electronically filed the foregoing **NOTICE OF APPEARANCE OF DAVID M. LACY KUSTERS** with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/David M. Lacy Kusters
David M. Lacy Kusters